

April 23 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANAIN THE SUPREME COURT OF THE STATE OF MONTANA
Supreme Court Cause No. DA 10-0207

DAVID L. IRVING

Attorney for Appellant, Fort Peck Rural County Water District, Inc.

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Drawer B

Glasgow, Montana 59230

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Attorney for Respondent/Appellant

In Re the Application for Writ of)
Certiorari by:)GLEN MEIER and STEPHANIE MEIER,)
Husband and wife, J. DAVID KNIERIM)
and KARI LEE KNIERIM, husband and)
wife, personally and as trustees of family)
trust, PATRICIA C. KNIERIM, and TOM)
LUND and BETTY LUND, husband and)
wife,)

Petitioners/Respondent,)

vs.)

FORT PECK RURAL COUNTY WATER)
DISTRICT, INC.,)

Respondent/Appellant.)

NOTICE OF APPEAL

FILED

APR 23 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

NOTICE is hereby given that the Fort Peck Rural County Water District, Inc., the Appellant above-named and who is the Respondent in the cause of action filed in the Seventeenth Judicial District, in and for the County of Valley, as Cause No. DV-09-19, by and through counsel, David L. Irving, Attorney at Law, hereby appeals to the Supreme Court of the State of Montana from the Order on Summary Judgment Motion, dated March 26, 2010, and the Judgment entered in this action on March 30, 2010.

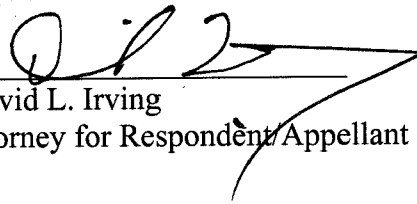
DAVID L. IRVING
Attorney At Law
Drawer B
Glasgow, MT 59230

NOTICE OF APPEAL

1 THE APPELLANT FURTHER CERTIFIES:

- 2 1. That this appeal is not subject to the mediation process required by Rule 7,
3 M.R.App.P.
4 2. That this appeal is not an appeal from an order certified as final under M.R.Civ.P.
5 54(b).
6 3. That the notice required by M.R.App.P. 27 is not applicable to these proceedings.
7 4. That all available transcripts of the proceedings in this cause have been ordered
8 from the Court Reporter contemporaneously with the filing of this notice of appeal.
9 5. That included herewith is the filing fee prescribed by statute.

10 DATED this 22nd day of April, 2010.

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12 David L. Irving
13 Attorney for Respondent/Appellant
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CERTIFICATE OF SERVICE

I hereby certify that I have filed a true and accurate copy of the foregoing NOTICE OF APPEAL with the Clerk of the Montana Supreme Court; and that I have served true and accurate copies of the foregoing NOTICE OF APPEAL upon the Clerk of the District Court, each attorney of record, and each party not represented by an attorney in the above-referenced District Court action, as follows:

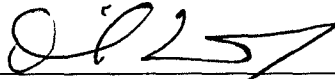
Shelley Bryan
CLERK OF DISTRICT COURT
Seventeenth Judicial District
501 Court Square
Glasgow, MT 59230

Kelly Barstad
VALLEY COUNTY COURT REPORTER
501 Court Square
Glasgow, MT 59230

Laura Christoffersen
CHRISTOFFERSEN & KNIERIM, PC
P. O. Box 29
321 Klein Avenue
Glasgow, MT 59230

Hon. John C. McKeon
DISTRICT COURT JUDGE
P. O. Box 470
Malta, MT 59538

DATED this 22nd day of April, 2010.



David L. Irving
Attorney at Law
110 5th Street So. #110
Glasgow, MT 59230